

Message Text

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21

ORIGIN EB-07

INFO OCT-01 AF-06 ARA-06 EUR-12 EA-07 ISO-00 CIAE-00

COME-00 DODE-00 DOTE-00 FMC-01 INR-07 NSAE-00 CG-00

OFA-01 DLOS-04 L-03 /055 R

DRAFTED BY EB/TT/MA:SVSMITH:BST

APPROVED BY EB/TT/MA:RKBANK

EA/PHL:RTWILLNER

FMC:WJSMITH

----- 128659

R 252304Z SEP 75

FM SECSTATE WASHDC

TO AMEMBASSY MANILA

INFO AMEMBASSY ATHENS

AMEMBASSY BONN

AMEMBASSY BRUSSELS

AMEMBASSY CANBERRA

AMEMBASSY COPENHAGEN

AMEMBASSY THE HAGUE

AMEMBASSY LONDON

AMEMBASSY MONROVIA

AMEMBASSY OSLO

AMEMBASSY PANAMA

AMEMBASSY PARIS

AMEMBASSY STOCKHOLM

AMEMBASSY TOKYO

AMEMBASSY HELSINKI

USMISSION EC BRUSSELS

USMISSION OECD PARIS

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E.O. 11652:N/A

TAGS:EWWT, RP

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SUBJECT:SHIPPING: PHILIPPINE DISCRIMINATION -- PD 667

REF: A) MANILA 12572 B) STATE 202064

1. DEPARTMENT NOTES (PARA 2 REF A) DIRECTOR GENERAL
SICAT'S STATEMENT THAT A DECISION HAS BEEN MADE TO AMEND
PD 667 TO REMOVE THE OFFENDING LANGUAGE AND THAT ACTION
WILL BE TAKEN SOON. DEPARTMENT FURTHER NOTES EMBASSY'S
CAUTION THAT NO EXPLICIT PROMISE TO DO SO BEFORE OCT 12
HAS BEEN MADE BUT THAT IT IS KNOWN THAT AN INTERAGENCY
STUDY OF AMENDMENT WAS UNDER WAY WEEK OF SEPT. 8.

2. DEPARTMENT HAS CONSIDERED SUGGESTIONS PARA 3 REF A AND
BELIEVES THAT THERE IS NO USEFUL PURPOSE IN INFORMING
OTHER GOVERNMENTS OF OUR PRESENT ACTION SINCE TO DO SO
WOULD LIKELY CAUSE ANY GOVERNMENT WHICH HAD CONTEMPLATED
FURTHER ACTION TO "LAY LOW" WHILE WATCHING TO SEE WHETHER
OUR SECTION 19 PROCESS PRODUCES RESULTS.

3. LATEST INFORMATION FROM FEDERAL MARITIME COMMISSION
(FMC) STAFF IS THAT, WHILE NOT CERTAIN, STAFF EXPECTS
FMC TO PUBLISH ITS REGULATION PROVIDING FOR PAYMENT OF
EQUALIZATION FEES BY PHILIPPINE FLAG VESSELS VERY SHORTLY

AFTER OCT. 12. AS REPORTED BEFORE, INTENT OF THE EQUALI-
ZATION FEE IMPOSED BY THE FMC WOULD BE TO NEGATE THE TAX
BENEFITS PHILIPPINE EXPORTERS AND IMPORTERS HAVE RECEIVED
UNDER PD 667 AS RESULT OF THEIR USE OF PHILIPPINE FLAG
VESSELS.

4. ACTION REQUESTED. EMBASSY MANILA PLEASE PROVIDE STA-
TUS REPORT ON PROGRESS OF THE PROPOSED AMENDMENT TO
PD 667, DEPARTMENT WISHES TO BE ABSOLUTELY CERTAIN THAT
KEY GOP OFFICIALS REALIZE FMC INTENDS TO PUBLISH ITS
REGULATION (DRAFT OF WHICH WAS ENCLOSED IN MRS. BENTLEY'S
LETTER TO SECRETARY KISSINGER) IF DISCRIMINATORY EFFECTS
OF PD 667 STILL EXIST ON OCT. 12. IF EMBASSY BELIEVES
OFFICIALS MIGHT NOT UNDERSTAND THIS, EMBASSY MAY WISH TO
REMIND THEM OF FMC'S INTENT. KISSINGER

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